

PRO SE

**IN THE UNITED STATES DISTRICT COURT
OF THE NORTHERN MARIANA ISLANDS**

JOHN (JACK) ANGELLO,

Plaintiff,

V.

NORTHERN MARIANAS COLLEGE,

Defendant.

Civil Action No. 03-0014

**MEMORANDUM IN
SUPPORT OF
PLAINTIFF'S
MOTION TO STAY
JUDGMENT PENDING
APPEAL**

Judge: Hon. David Wiseman

Date: JAN - 4 2007

Time: 8:30 a.m.

INTRODUCTION

Pursuant to the Federal Rules of Appellate Procedure (FRAP 8), Plaintiff Pro Se Angello requests for a stay of the U.S. District Court’s “Findings of Fact and Conclusions of Law after Grant of Fed.R.Civ. P. 52(c) Motion by Defendant” ruling filed on October 6, 2006, and appealed by Plaintiff on November 6, 2006.

ARGUMENT

The rules of FRAP allow for stays of judgment pending appeal, and Plaintiff pleads that he has a regular chance for the success of his appeal, and it will better serve

the currently challenged economic status of Plaintiff as he proceeds with the appeal as In Forma Pauperis.

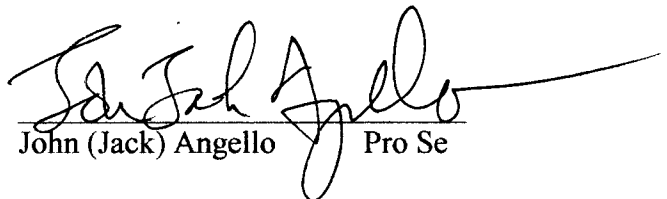
Plaintiff received a letter dated 11/28/06 with Defendant's position statement in this matter on 12/2/06 via the U.S. Post Office on Saipan. *See* Exhibit 1 in Plaintiff's "Declaration in Support of Motion to Stay Judgment Pending Appeal," attached hereto.

Defendant Northern Marianas College will suffer no harm in the granting of this stay, since it is budgeted for all their Full-Time Positions by the Legislature, it pays no rent for its campus on government land, and NMC keeps in its own bank account all the collected tuition and fees, which it recently doubled for extra funds that are spent on various management projects.

CONCLUSION

Plaintiff prays that this Court grants his motion to stay its earlier judgment pending his appeal.

Dated: 12/02/06


John (Jack) Angello Pro Se